

**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**Before the Commissioner of Financial and Insurance Regulation**

In the matter of:

Office of Financial and Insurance Regulation,

Enforcement Case No. 08-06474

Petitioner,

v

GERLING AMERICA INSURANCE COMPANY,

Respondent

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Issued and entered  
on 11-5-08  
by Stephen R. Hilker  
Chief Deputy Commissioner

**CONSENT ORDER AND STIPULATION**

**A. Findings of fact and conclusions of law**

1. Contrary to R 500.2202(e), Respondent failed to submit to the Commissioner by April 1, 2007, a list certified as complete and accurate of all forms in effect in Michigan containing discretionary clauses or to submit a letter certifying that Respondent has no forms in effect in Michigan.
2. Based on the foregoing conduct, Respondent has violated R 500.2202.

**B. Order**

Based on the findings of fact and conclusions of law above and Respondent's stipulation, the Commissioner ORDERS that:

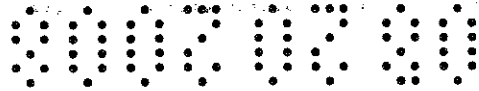
1. Respondent shall immediately cease and desist from operating in such a manner as to violate R 500.2202.
2. Respondent shall immediately submit to the Commissioner a list certified as complete and accurate of all forms in effect in Michigan containing discretionary clauses, or submit a letter certifying that Respondent has no forms in effect in Michigan.

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3. Respondent shall pay to the State of Michigan, through the Office of Financial and Insurance Regulation, a fine in the amount of \$1,000. The fine shall be paid within thirty (30) days of the date of entry of this Order.

Chief Deputy Commissioner